UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA ALEXANDRIA DIVISION

CLAUDE R. FRAZIER,

CIVIL ACTION NO. 1:13-CV-03110

Plaintiff

VERSUS

JUDGE WALTER

TIMOTHY KEITH, ET AL.,

MAGISTRATE JUDGE PEREZ-MONTES

Defendants

JUDGMENT

For the reasons contained in the Report and Recommendation (Doc. 99) of the Magistrate Judge previously filed herein, and after independent (*de novo*) review of the record including the untimely objections filed herein, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that Defendants' Motion for Summary Judgment (Doc. 75) be GRANTED, that Frazier's Motion for Summary Judgment (Doc. 78) be DENIED, and that Plaintiff's claims against Defendants' under 42 U.S.C. § 1983 for alleged violations of the Eighth Amendment be DISMISSED.

In accordance with the Magistrate Judge's order (Doc. 93), this case remains open.

THUS ORDERED AND SIGNED in Chambers at 🔀

<u>/</u>Louisiana,

on this $\frac{20}{100}$ day of $\frac{1}{1000}$

DONALD E. WALTER

UNITED STATES DISTRICT JUDGE